

Docket No. F-7998

Ser. No. 10/705,629

REMARKS

Claims 4-15 remain pending in this application. Claims 4-15 are rejected. Claims 1-3 are previously cancelled. Claim 1 is amended herein to clarify the invention and correct a typographical error, replacing "16°" with "15°" unrelated to substantive patentability issues. Claim 1 is also broadened by replacing "in" with "to" and "on" with "at."

CLAIM OBJECTIONS

Claims 4 and 5 are objected to by the Examiner. The Examiner questions whether the term "radial plane" should be "axial plane." The claim wording is correct as is. A radial plane by definition is one in which the axis is perpendicular to. A axial plane would by definition include the axis in the plane surface, i.e., the axis would be congruent with the plane surface. Applicants respectfully request that the Examiner again review the claims to confirm understanding of the subject matter of the claim and effect withdrawal of the objection.

Docket No. F-7998

Ser. No. 10/705,629

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 4, 5, 14 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Shiraki reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Claim 1 includes at least two features not found in the cited Shiraki reference. The first feature is the relative alignment of the coils. Claim 1 recites the following arrangement:

a second air-core armature coil disposed ...
shifted in a first rotational direction relative to the
first air-core armature in a range of 15° to 60°;
a third air-core armature coil disposed ...
shifted in a second rotational direction, opposite said
first rotational direction, relative to the first air-core
armature at least about 120°, to not overlap said first
and second air-core armature coils[.]

The Examiner reads the first coil on coil 3-1 of the Shiraki reference, the second coil on coil 3-2, and the third coil on coil 3-3. With reference to Fig. 6 of the

Docket No. F-7998

Ser. No. 10/705,629

Shiraki reference, it is evident that if coil 3-2 of the Shiraki reference is shifted in the first direction relative to the first coil 3-1, coil 3-3 is also shifted in the same direction, not the opposite direction, and is not disposed to no overlap the first and second coils. In contrast, the third coil 3-3 overlaps the second coil.

A second feature not presented in the Shiraki reference is the eccentric weight disposed outside of the second air-core armature coil. Instead, the Shiraki reference teaches disposing the eccentric weight within the second coil 3-2.

In view of the above, it is respectfully submitted that claims 4, 5, 14 and 15 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 4, 5, 14 and 15 and their allowance are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 6-13 are variously rejected as obvious over the Shiraki reference in view of the Sato, Yamaguchi, and Kroy references under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

Docket No. F-7998

Ser. No. 10/705,629

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary Sato, Yamaguchi, and Kroy references do not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Shiraki reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 6-13 and their allowance are respectfully requested.

REQUEST FOR EXTENSION OF TIME

Applicant respectfully requests a one month extension of time for responding to the Office Action. **The fee of \$120 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Docket No. F-7998

Ser. No. 10/705,629

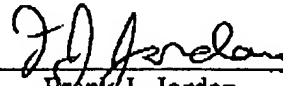
Docket No. F-7998

Ser. No. 10/705,629

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
JORDAN AND HAMBURG LLP

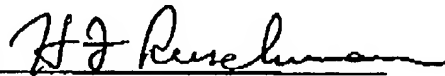
By



Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants

by
and,

By



Herbert F. Ruschmann
Reg. No. 35,341
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

enc: Form PTO-2038.